



U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

December 14, 2022

**BY ECF**

The Honorable Vernon S. Broderick  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: *United States v. Nykem Alston*, 22 Cr. 517 (VSB)**

Dear Judge Broderick:

The Government writes on behalf of both parties in the above-captioned matter to request an adjournment of the upcoming December 16, 2022 status conference. The defense is continuing to review discovery and requires additional time for that purpose, including to determine whether there is a need for pretrial motion practice in this case. The Government has no objection to an adjournment. The parties respectfully request that the Court adjourn this matter to Friday, February 3, 2023, which the parties understand from discussions with Chambers is a date that is convenient for the Court.

The Government also respectfully requests that the Court exclude time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7), from today's date until February 3, 2023. The ends of justice served by the adjournment outweigh the interests of the defendant and the public in a speedy trial because it will allow the defense additional time to review the evidence and determine how to proceed, including whether pretrial motion practice is necessary, and it will also allow time for the parties to continue ongoing discussions regarding a potential pretrial disposition. The defense consents to this request.

Respectfully submitted,

**APPLICATION GRANTED**

**SO ORDERED** 

**VERNON S. BRODERICK**

**U.S.D.J. 12/15/2022**

**DAMIAN WILLIAMS**

United States Attorney

by: 

Jacob R. Fiddelman

Assistant United States Attorney

(212) 637-1024

cc: Camille Abate, Esq.

The status conference scheduled for December 16, 2022 is hereby adjourned to February 3, 2023 at 12:00 p.m. The adjournment is necessary to allow the defense sufficient time to review discovery and determine whether there is a need for pretrial motion practice. The Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and the defendant in a speedy trial. Accordingly, it is further ordered that the time between December 14, 2022 and February 3, 2023 is hereby excluded under the Speedy Trial Act, 18 U.S.C. 3161(h)(7)(A), in the interest of justice. So ordered.